



# ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು  
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ - ೪ಎ Part - IVA	ಬೆಂಗಳೂರು, ಮಂಗಳವಾರ, ೧೬, ಜೂನ್, ೨೦೨೦ (ಜ್ಯೇಷ್ಠ, ೨೬, ಶಕವರ್ಷ, ೧೯೪೨) Bengaluru, TUESDAY, 16, JUNE, 2020 (Jyestha, 26, ShakaVarsha, 1942)	ನಂ. ೨೦೨ No. 202
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## GOVERNMENT OF KARNATAKA

No: DPAR 09 SeLoSe 2019 (Part-3)

Karnataka Government Secretariat,  
Vidhana Soudha,  
Bangalore, dated: 15.06.2020.

### NOTIFICATION

Whereas, the Karnataka Public Service Commission had published Final Selection List of 1998 batch on 28.02.2006, after completion of the process of selection in accordance with the Karnataka Gazetted Probationers (Appointment by Competitive Examinations) Rules, 1997. In 2006, the Government appointed the candidates for the posts for which they were selected.

Whereas, the Karnataka Public Service Commission had published the revised selection list in the Karnataka Gazette extra ordinary No. 69 dated 28.01.2019 vide notification on 25.01.2019 as per 2nd direction of the Hon'ble High Court's order dated 21.06.2016 in W.P. No. 27674/2012 and connected cases. Subsequently, the Karnataka Public Service Commission has published the final revised selection list in the Gazette vide notification on 22.08.2019 as per 3rd direction and this selection list is the final selection list of the selection process.

Whereas, the revaluation and moderation of answer scripts and re-publication of select list after a lapse of several years of appointment has led to change of service or department or cadre of 173 candidates or officers. Appointing the officers who have undergone change in Department or cadre in the new service under probation even though they have put in a decade of service in the Government, will lead to discrepancy in pay and promotion to that of their juniors of the same batch or select list. Hence, it is considered necessary to frame special rules wherein protection is proposed to be extended to the officers who are in no way responsible for such alteration of final select list.

Therefore, the draft of the Karnataka Civil Services (1998 batch Gazetted Probationers) (Declaration of Probation and Fixation of Pay) (Special) Rules, 2020, which the Government of Karnataka proposes to make in exercise of the powers conferred by sub-section (1) of section 3 read with section 8 of the Karnataka State Civil Services Act, 1978 (Karnataka Act 14 of 1990) is hereby published as required by clause (a) of sub-section (2) of the said section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration after fifteen days from the date of its publication in the Official Gazette.

Any objection or suggestion which may be received by the State Government from any person with respect to the said draft before the expiry of the period specified above will be considered by the State Government. Objections and Suggestions may be addressed to Secretary to Government, Department of Personal and Administrative Reforms, Vidhana Soudha, Bangalore-560001.

### **DRAFT RULES**

**1. Title and Commencement:-** (1) These rules may be called the Karnataka Civil Services (1998 batch Gazetted Probationers) (Declaration of Probation and Fixation of Pay) (Special) Rules, 2020.

(2) They shall come into force from the date of their final publication in the official Gazette.

**2. Definitions:-** (1) In these rules, unless the context otherwise requires,-

- a) “1998 batch Gazetted Probationer” means an officer who is selected as per the Karnataka Public Service Commission selection list published on 28.02.2006 and also selected as per the final revised select list of 1998 batch, published by the Karnataka Public Service Commission on 22.08.2019, (hereinafter referred to as final revised select list) in accordance with the Karnataka Gazetted Probationers (Appointment by Competitive Examinations) Rules, 1997 in pursuance with the judgment passed by the Hon’ble High Court in W.P. No. 27674/2012 c/w 41366/2012, 27730/2012, 43718 and 43720-43732/2012, 4297/2013, 1733/2013 on 21-06-2016 and orders of the Hon’ble Supreme court in its order dated: 11.04.2018 upholding the order dated: 21.06.2016 of the Hon’ble High Court of Karnataka.
- b) “Fresh Candidate” means new candidates who are inducted into the service in accordance with the Karnataka Gazetted Probationers (Appointment by Competitive Examinations) Rules, 1997 as per the order dated 21.06.2016 of the Hon’ble High Court of Karnataka and find place in the final revised select list dated 22.08.2019 but were not selected in the 2006 original select list.

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- c) “New Service” means service or cadre allotted to the 1998 batch Gazetted Probationer as per the final revised select list dated 22.08.2019.
  - d) “Previous or earlier Service” means post held by the 1998 batch Gazetted Probationer as per 2006 original select list (hereinafter referred to as original select list) in accordance with the Karnataka Gazetted Probationers (Appointment by Competitive Examinations) Rules, 1997.

**3. Application:-** (1) These rules shall be applicable to the 1998 batch Gazetted Probationer who has joined the service in pursuance to the 2006 original select list and who has undergone change in Service or Department or cadre as per final revised selection list dated 22.08.2019 and have joined the new service and continued to serve on the date of commencement of these rules.

(2) These rules shall not be applicable to-,

- (i) Fresh candidates;
- (ii) 1998 batch Gazetted probationers-,
  - a) who will not undergo any change in any Service or Department or Cadre or Post vis-a-vis the original select list of 2006 and final revised select list dated 22.08.2019;
  - b) who were appointed in pursuance to the said original selection list of 2006 but had left the service or not reported or had died before the date of commencement of these rules;

**4. Declaration of Probation:-** Notwithstanding anything contained in the Karnataka Civil Services (Probation) Rules, 1977 and the Karnataka Civil Services (General Recruitment) Rules, 1977 or any other rule governing their service conditions, the 1998 batch Gazetted probationers who have been appointed in pursuance to the order of the Hon’ble High Court dated 21.06.2016 and successfully completed the probation period in the previous or earlier service of 1998 batch and joined the new service shall be deemed to have satisfactorily completed their period of probation in the new service and deemed to be declared as such irrespective of passing in departmental examination, but found otherwise suitable.

Provided that the 1998 batch Gazetted probationers whose probation is declared as above shall complete their respective departmental examination before they are considered for further promotion.

**5. Fixation of pay:-** Notwithstanding anything contained in the Karnataka Civil Service Rules, the pay of the officers of the 1998 batch Gazetted Probationer after his entry into a new service in the relevant post and pay scale shall be fixed at the level he would have drawn had he been initially appointed to the said new post or service or department or cadre from the beginning at which his immediate junior in 1998 batch select list had drawn from time to time.

Provided that in case if there is no junior in the list of the new service, the consequential benefits shall be regulated for pay as if others who are appointed normally from the date of appointment of the 1998 batch Gazetted Probationer would have drawn from time to time.

Provided further that the monetary benefit on this account if any shall accrue prospectively from the date of their entry into the new service without any claim for payment for the previous or earlier service.

By Order and in the name of the  
Governor of Karnataka

**(M. Umesh Shastry)**  
Under Secretary to Government  
Department of Personnel and  
Administrative Reforms (Services-7)